

1  
2  
3  
4  
5

6 IN THE UNITED STATES DISTRICT COURT

7  
8

FOR THE NORTHERN DISTRICT OF CALIFORNIA

9  
10

LEVI STRAUSS & CO, et al.,

Plaintiffs,

No. C 10-05051 JSW

11

v.

**ORDER TO SHOW CAUSE**

12

PAPIKIAN ENTERPRISES, INC, et al.,

Defendants.

13

14  
15  
16  
17  
18

This matter is scheduled for a hearing on Defendants' Motion for Summary Adjudication on May 20, 2011. Briefing on the motion was complete when Defendants filed their reply brief on March 25, 2011. On April 13, 2011 and April 14, 2011, Defendants filed a supplemental request for judicial notice and supplemental declarations.

19  
20  
21  
22  
23  
24  
25  
26

Pursuant to Northern District Civil Local Rule 7-3(d), prior to the noticed hearing date, "counsel may bring to the Court's attention a relevant judicial opinion published after the date the opposition or reply was filed," citing to and providing a copy of the new opinion, without argument. "Otherwise once a reply is filed, *no additional memoranda, papers, or letters may be filed without prior Court approval.*" N.D. Civ. L.R. 7-3(d) (emphasis added). Of the materials submitted on April 13, 2011 and April 14, 2011, Exhibit 5 to the Supplemental Request for Judicial Notice is the only item that would be permitted to be filed under Local Rule 7-3(d) without leave of court.

27  
28

Accordingly, Defendants are HEREBY ORDERED TO SHOW CAUSE in writing by no later than April 29, 2011, why the Court should not strike Exhibit 4 to the Supplemental Request for Judicial Notice and the Declarations filed on April 14, 2011 from the record.

1 Plaintiffs may submit a response to Defendants' response to the Order to Show Cause by no  
2 later than May 6, 2011.

3 **IT IS SO ORDERED.**

4 Dated: April 15, 2011

*Jeffrey S. White*  
5 JEFFREY S. WHITE  
6 UNITED STATES DISTRICT JUDGE

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28